

- 1 (a) Causing the insolvency of the Bank.
- 2 (b) Weakening the condition of the Bank.
- 3 (c) Prejudicing the interests of the customers of the Bank.

4 BASED UPON THE FOREGOING, the Commissioner hereby ORDERS that pursuant to
5 Financial Code section 581:

6 1. Within ninety (90) days of issuance of this Order, the Bank shall immediately take
7 all necessary steps to correct the critically deficient capital levels cited in the ROE. Specifically,
8 within ninety (90) days of issuance of this Order, the Bank shall increase its TSE by such an
9 amount to ensure that the ratio of TSE to TTA equals or exceeds 7.5 percent.

10 2. The Bank shall notify the Commissioner no less than three (3) business days before
11 making any public announcement or notification, excluding mandated regulatory filings, regarding
12 changes in the Bank’s financial condition, executive management, or Board.

13 3. The provisions of this Order shall not bar, estop, or otherwise prevent the
14 Commissioner or any other federal or state agency or department from taking any other action
15 against the Bank or any of the Bank’s current or former institution-affiliated parties, as that term is
16 defined in Section 3(u) of the Federal Deposit Insurance Act, 12 U.S.C. § 1813(u).

17 4. The provisions of this Order shall be binding upon the Bank, its institution-
18 affiliated parties, and any successors and assigns thereof. Violation of any provision of this Order
19 will be deemed to be conducting business in an unsafe or unsound manner and will subject the
20 Bank to further regulatory enforcement action.

21 5. This Order is effective immediately. This Order shall remain in full force and effect
22 until further order from the Commissioner.

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24 Dated: June 21, 2023


AARON PROSPERI
Deputy Commissioner, Banking Division
Department of Financial Protection and Innovation